

Arcadio Acuna #C-43165
Pelican Bay State Prison
P.O. Box 7500 / EC-10-124
Crescent City, CA 95532

FILED

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CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

In Pro Per

In the United States District Court
For the Northern District of California
San Francisco Division

Arcadio S. Acuna,
Plaintiff,
v.
Lea Ann Chronos, et al.,
Defendants.

No. 07-5423 VRW
Application for Extension
of Time and Declaration
in Support Thereof

Comes Now Plaintiff Arcadio S. Acuna, a
state prisoner proceeding in pro se in the above
entitled Cause of Action, hereby respectfully moves
this Court for an Extension of Time to and including
Aug. 29, 2008, in which to file an opposition to
Defendants' Motion to Dismiss the Complaint. The
opposition is now due on July 29, 2008.

This application is made for good cause as set
forth in the attached Declaration.

Dated: 6/24/08

Respectfully Submitted,

Arcadio S. Acuna
Arcadio S. Acuna, Plaintiff

Declaration in Support of
Application for Extension of Time

I, Arcadio S. Acuna, declare as follows:

1. I am the plaintiff in the 42 u.s.c. § 1983 civil Rights lawsuit entitled Arcadio S. Acuna v Lea Ann Chones, et al, No. 07-1423 VRW now pending before the Court
2. On June 27, 2008, plaintiff received Defendants' Motions to Dismiss the complaint. The motions sets forth various legal theories in support of the allegations the complaint should be dismissed, which are complex issues of law hard for plaintiff to understand
3. I am a state prisoner not trained in the law with limited access to the Law Library as a matter of institutional policy. In order to adequately respond to the motions to Dismiss plaintiff is requesting an extension of 30-days.
4. Based on all of the above plaintiff prays the Court grant the extension of time.

I declare under penalty of perjury that the above statement is true and correct, and was executed on this 29th day of June, 2008, in Crescent City, California.

Arcadio S. Acuna
Arcadio S. Acuna, Declarant

Proof of Service By Mail

I, Arcadio S. Acuna, declare:

That I am over 18 years of age, and a party to the attached cause of action, that I reside in Crescent City in the County of Del Norte, California. My mailing address is:

P.O. Box 75001 EC-10-124, Crescent City, CA 95532.

On June 29, 2008, I delivered to prison officials for mailing at the above address, the attached Application for Extension of Time, in a sealed envelope to:

Charles J. Antonien
Deputy Attorney General
455 Golden Gate Avenue, Ste. 11000
San Francisco, CA

9-11-02 - 2004

I declare under penalty of perjury that the foregoing is true and correct and was executed on this 29th day of June, 2008, in Crescent City, California.

Arcadio S. Acuna

Arcadio S. Acuna, Declarant
In Pro Per